

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES MORGAN FITTS,

Defendant.

MEMORANDUM DECISION AND  
ORDER EXCLUDING TIME AND  
SETTING CHANGE OF PLEA  
DATE

Case No. 1:05-CR-154 TS

On June 12, 2006, the above-entitled case was transferred to this Court by Order of Recusal, whereby the Honorable David K. Winder recused himself and the case was reassigned for all further proceedings.<sup>1</sup> Based on this, the Court finds that the ends of justice are served by re-setting the change of plea hearing originally scheduled for June 14, 2006, before Judge Winder, and that taking this action outweighs the best interest of the public and the defendant in a speedy trial pursuant to 18 U.S.C. § 3161(h)(8).

It is therefore

ORDERED that the change of plea set for June 14, 2006, is STRICKEN. It is further

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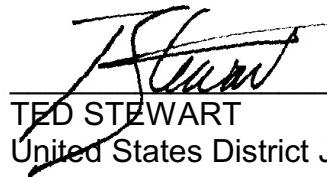
<sup>1</sup>Docket No. 17.

ORDERED that the Court will set a new change of plea date by separate notice, at the earliest possible date. It is further

ORDERED that the period from June 14, 2006, until the new change of plea date is excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(8).

DATED June 28, 2006,

BY THE COURT:



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TED STEWART  
United States District Judge